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Vietnam sets maximum levels for melamine in feed and food

2008

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Report Highlights: The Vietnamese Ministry of Agriculture and Rural Development (MARD) and the Ministry of Health (MOH) recently set maximum levels for melamine in feed and food. This does not mean, however, that Vietnam permits intentional use of melamine in feed or food. This report provides unofficial translations of both the Ministry of Health and the Ministry of Agriculture's recent regulations on melamine.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Hanoi [VM1]
[VM]

Report summary:

On November 28, 2008, the Ministry of Agriculture and Rural Development (MARD) issued Decision 3762/QĐ-BNN-CN which sets a maximum acceptable level of melamine in animal or aqua feed at = 2.5 ppm. This regulation went into effect as of the date of signing.

On December 11, 2008, the Ministry of Health issued Decision No.38/2008/QĐ-BYT outlining the maximum allowable limits of cross-contamination melamine in food. The maximum allowable level in baby foods, for children less than 36 months old, is ≤ 1.0 ppm. The allowable level for all other foods is ≤ 2.5 ppm. This regulation is also now in effect.

I. Vietnam Ministry of Agricultural and Rural Development Decision 3762/QĐ-BNN-CN on maximum level of melamine accepted in animal/aqua feed:

MINISTRY OF AGRICULTURE AND
RURAL DEVELOPMENT

No. 3762 /QĐ-BNN-CN

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Hanoi, November 28, 2008

DECISION**On management of Melamine in livestock production and aquaculture****MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT**

Pursuant to Decree 01/2008/ND-CP dated January 3, 2008 of the Government on stipulating the function, tasks, power and organizational structure of the Ministry of Agriculture and Rural Development;

Pursuant to the Ordinance on quality of goods dated December 24, 1999;

Pursuant to Decree 179/2004/ND-CP dated October 21, 2004 of the Government on State management of quality of products and goods;

Pursuant to Decree 15/CP dated March 19, 1996 of the Government on management of animal feed and Circular 08/NN-KNKL/TT dated September 17, 1996 of the Ministry of Agriculture and Rural Development on guiding the implementation of Decree 15-CP;

Considering the proposal of the Directors of the Departments of Livestock Production and Aquaculture

DECIDES

Article 1. Prohibiting the import, production, trading and use of materials and animal and aquaculture feed contaminated with Melamine. The acceptable limit which is considered no Melamine in materials and animal and aquaculture feed shall not exceed 2.5mg per 1 kg (= 2.5ppm).

Article 2. Methods for determination of Melamine in materials and animal and aquaculture feed shall be as follows:

Step 1: Qualitative – using Elisa or HPLC – UV with the limit of detection < 2.5ppm.

Step 2: When there is positive result at the Step 1, quantitative is conducted with the use of LC/MS or GC/MS method.

Article 3. This Decision shall be of full force and effect as from the date of its signing.

Article 4. Directors of Department of Livestock Production, Department of Aquaculture, Heads of relevant units, organizations and individuals shall be responsible for implementation of this Decision./.

ON BEHALF OF MINISTER

DEPUTY MINISTER

(Signed)

VU VAN TAM

II. Vietnam Ministry of Health Decision 38/2008/QD-BYT to promulgate maximum level of cross contaminated melamine accepted in food.

MINISTRY OF HEALTH

No. 38/2008/QD-BYT

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Hanoi, December 11, 2008

DECISION

Promulgating the maximum limits of cross-contamination Melamine in food

MINISTER OF HEALTH

Pursuant to Decree 188/2007/ND-CP dated December 27, 2007 of the Government on stipulating the function, tasks, power and organizational structure of the Ministry of Health;

Pursuant to Ordinance No. 12/2003/PL-UBTVQH11 dated July 26, 2003 of the Standing Committee of the National Assembly on food hygiene and safety and Decree 163/2004/ND-CP dated September 7, 2004 of the Government on making detailed provisions for implementation of some articles of the Ordinance on food hygiene and safety;

Considering the proposals of the Director of the Food Hygiene and Safety Department, the Director of the Science and Training Department of the Ministry of Health,

DECIDES

Article 1. Promulgating in conjunction with this Decision "the Regulations on maximum limits of cross contamination Melamine in food".

Article 2. In case where the correlative National Technical Regulations are promulgated, the maximum limits of cross-contamination in food shall be implemented in accordance with such National Technical Regulations.

Article 3. This Decision shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

Article 4. Ladies and gentleman as follows: Chief of the Ministry Secretariat; Chief Inspector of the Ministry; Directors of Departments such as Legal Department, Science and Training Department; Director of the Food Safety and Hygiene Department of the Ministry of Health, Director of Departments of Health of provinces and cities under central authority, heads of units belonging to the Ministry of Health, Heads of health sector, heads of relevant bodies shall be responsible for implementation of this Decision./.

ON BEHALF OF MINISTER
DEPUTY MINISTER

(Signed)

Cao Minh Quang

MINISTRY OF HEALTH

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Regulations

On the maximum limits of cross contamination Melamine in food

(Promulgated in conjunction with Decision 38/2008/QĐ-BYT dated December 11, 2008 of the Minister of Health)

Article 1. Scope of application and applicable entities

This decision shall:

- a) stipulate the maximum limits of cross-contamination Melamine in food which is domestically produced and imported.
- b) not be applied to any case where Melamine is intentionally put into food.
- c) be applicable to organizations and individuals who produce, process, trade, export and import food in Vietnam.

Article 2. Interpretation of terms

In these regulations, the following terms shall be construed as follows:

Cross-contamination: cross-contamination is unintentional contamination, caused by the environment, devices, packing (directly contacting with) directly to food products or indirectly by other sources.

Article 3. The maximum limits of cross-contamination Melamine in food

1. The maximum limits of cross-contamination Melamine in food shall be stipulated as follows:

a) For food for children with age of less than 36 months, not exceeding 1.0mg per 1 kg of food ($\leq 1.0\text{ppm}$).

b) For other categories of food, not exceeding 2.5mg per 1 kg of food ($\leq 2.5\text{ppm}$).

2. These limits shall be changed when there is scientific basis of the toxicity of Melamine and relevant substances that the World Health Organization and Food and Agriculture Organization announce additionally.

Article 4. Intentionally putting Melamine into food in any form or with any content shall be strictly prohibited

Article 5. Methods for determination of Melamine in food

Method for determination of Melamine in food shall be conducted in accordance with the Normal Rule on techniques for determining the amount of Melamine in food as promulgated in conjunction with Decision 4143/QD-BYT dated October 22, 2008 of the Minister of Health.

ON BEHALF OF MINISTER

DEPUTY MINISTER

(Signed)

Cao Minh Quang